



CITY OF MORGAN HILL
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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PLANNING COMMISSIONERS

Robert Benich, Chair	Jerry Dommer, Vice Chair
Joseph Mueller, Commissioner	Wayne Tanda, Commissioner
John McKay, Commissioner	Susan Koepp-Baker, Commissioner
John Moniz, Commissioner	

PLANNING COMMISSION MEETING

JANUARY 24, 2012

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA**

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes*

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DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

ORDERS OF THE DAY

MINUTES: December 13, 2011

The January 10, 2012 minutes will be included in the February 14, 2012 Planning Commission Agenda packet

CONSENT:

- 1) 5 Minutes **EXTENSION OF TIME, EOT-11-10: BARRETT-GLOBAL PREMIER:** The applicant is requesting approval of a 12-month extension of time to commence the operation of a senior, rental congregate care retirement residence near the northwest corner of Barrett Avenue and Butterfield Boulevard in an R3(PD) zoning district (APN 817-30-050).

Recommendation: Approve by minute action.

CONTINUED PUBLIC HEARINGS:

- 2) 15 Minutes **USE PERMIT, UP-11-03: ROLLING HILLS-AT&T:** A request for the approval of a conditional use permit to install and operate a wireless telecommunications facility. The applicant proposes to install a 50' monopole mounted with 12 antennas and other associated equipment and 5 equipment cabinets located at ground level. The project is located at 2275 Rolling Hills Dr in an Open Space zoning district (APN 764-02-003). The project is categorically exempt under Section 15303 of the State CEQA Guidelines.

Recommendation: Reopen public hearing/Adopt Resolution approving the conditional use permit

- 3) 45 Minutes **SUBDIVISION, SD-11-08/DEVELOPMENT AGREEMENT, DA-11-07
ZONING AMENDMENT, ZA-11-15: E. DUNNE-CITY VENTURES:** Request for approval to rezone 3.8 net acres from CCR (Central Commercial Residential District) to PD (Planned Development with a precise development plan), subdivision map and a development agreement to allow the construction of

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35 attached townhomes and 8 detached small lot single family homes for a total of 43 residential units. The subject property is located on the South East corner of E. Dunne Avenue and Church Street. The proposed development project is categorical exempt under Section 15332 of the State CEQA Guidelines-In-fill Development Projects, hence no environmental action is required. (APNs: 817-01-056 & 817-01-057)

Recommendation: Reopen public hearing/Adopt Resolutions recommending Council approval of Zoning Amendment and Development Agreement, and approving the Subdivision.

OTHER BUSINESS:

- 4) 20 Minutes **[PRESENTATION ON ANNUAL CAPITAL IMPROVEMENT PLAN \(CIP\) BUDGET FOR FISCAL YEAR 2012/2013](#)**

Recommendation: Receive presentation and provide comment.

- 5) 15 Minutes **[TRANSFER OF FISCAL YEAR BUILDING ALLOTMENTS BETWEEN PROJECTS:](#)** Formalize a Planning Commission Policy to allow a transfer of different fiscal year building allocations between projects.

Recommendation: Adopt motion to approve policy to allow transfer of fiscal year building allocations between projects.

TENTATIVE AGENDA FOR THE FEBRUARY 14, 2012 MEETING:

- GPA-11-03/EA-11-09: Butterfield-Butterfield Inv
- GPA-11-03: City of MH-Downtown Specific Plan-Zoning Text & Block 18
- SD-11-07/ZA-11-12(ASD-10-01): Campoli-Cox
- SD-11-09/DA-11-08/ZA-11-14/EA-11-11: Hale-Signature Homes
- SD-11-13: San Gabriel-MH Dos (Syncon)
- UP-11-02/ZAA-98-11C/EA-11-12: Laurel-AT & T
- UP-11-06: Monterey-Azar
- Award and Distribution of RDCS Building Allotments
- RDCS Fourth Quarterly Report for 2011
- RDCS Review of Projects Behind Schedule

ANNOUNCEMENTS

CITY COUNCIL REPORTS

ADJOURNMENT

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SPEAKER CARD

If you wish to address the Commission on any issue that is on this agenda, please complete a speaker request card located in the foyer of the Council Chambers, and deliver it to the Deputy City Clerk prior to discussion of the item. You are not required to give your name on the speaker card in order to speak to the Commission, but it is very helpful. As you are called, please walk to the podium to be recognized by the Chairperson. Please speak directly into the microphone while making your comments. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

NOTICE

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act that are distributed to a majority of the Planning Commission less than 72 hours prior to an open session, will be made available for public inspection at the Office of the City Clerk at Morgan Hill City Hall located at 17555 Peak Avenue, Morgan Hill, CA, 95037 at the same time that the public records are distributed or made available to the Planning Commission. (Pursuant to Government Code 54957.5)